

**IN THE HIGH COURT OF UTTARAKHAND AT
NAINITAL**

Writ Petition No. 275 (SS) of 2007

Subhash Chandra
Son of Sri Ram Charan Lal,
R/o Ward No.-1, Sharada Chungi,
Tanakpur,
District Champawat

.....Petitioner.

Versus

1. State of Uttarakhand through Secretary/ Registrar Cooperative Societies Dehradun, Uttarakhand.
2. District Assit. Registrar Sahakari Kray-Vikray Samity Ltd. Champwat, District Champawat.
3. Secretary, Tanakpur Sahakari Kray-Vikray Samity Ltd. Tanakpur, District – Champawat.
4. Sri Manohar Dutt Sati, Secretary, Tanakpur Sahakari kray vikray Samity Ltd., Tanakpur, District – Champawat.

.....Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Shri B.S. Khanka, learned counsel for the petitioner and learned Standing Counsel for the respondent no. 1.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

- i. issue a writ, order or direction in the nature of Certiorari to quash suspension order dated 08.02.2002 passed by the respondent Secretary, (Annexure No. 5 to this writ petition).
- ii. Issue a writ, order or direction in the nature of Mandamus directing the respondent to reinstate to the petitioner in service with the monetary benefits of the suspension period.
- iii. Issue any other writ, order or direction, which this Hon'ble Court may deem fit and proper in the

circumstances of the case be passed in favour of the petitioner.

iv. award the cost of petition.

The stand of the petitioner is that vide order dated 08.02.2002, petitioner was suspended. A charge-sheet was furnished to petitioner to which petitioner has already replied and, in fact, the inquiry officer has already concluded inquiry and the inquiry report too, has already been submitted before the Disciplinary Authority, who is respondent no. 2. However, the Disciplinary Authority has not yet passed final order after obtaining the inquiry report.

In the circumstances stated above, I deem it fit and proper to direct the Disciplinary Authority i.e. respondent no. 2 to pass final order in respect of the disciplinary proceedings initiated against the petitioner within a period of three weeks from the date of production of a certified copy of this order.

With this direction, the writ petition as well as stay application no. nil of 2007 is disposed of. No order as to costs.

29.03.2007
VKS

(M.M. Ghildiyal, J.)